

REMARKS

There are now pending in this application claims 1, 3-11 and 13-20, of which claims 1, 7, 11, and 17 are independent. Claims 2 and 12 have been cancelled without prejudice or waiver of their subject matter. No claims have been added.

In view of the above amendments and the following remarks, favorable reconsideration and allowance of the above application is respectfully sought.

In the outstanding official action, each of independent claims 1, 7, 11, and 17 was rejected under 35 U.S.C. 102(b) as being anticipated by Ando et al. (U.S. Patent No. 6,631,252). Claims 7 was also rejected under 35 U.S. C. 102(b) as being anticipated by Riutishauser (U.S. Patent No. 4,915,369). In view of the above amendment and the following remarks, the rejections are respectfully traversed.

Applicants invention as now set forth in each of the independent claims incorporates the feature of a regulation member, which presses a swelling portion which occurs on an envelope when the envelope passes through a curved sheet transport path. By arranging the regulation member away from the transporting sheet by a predetermined distance, the swelling portion occurring on the envelope can be pressed. As a result, it is possible to avoid wrinkles in the envelope from occurring during the image formation process.

Accordingly, each of the independent claims has been further amended to clearly recite that the sheet transport path for transporting a sheet has a curved sheet transport path portion. In addition, the regulation member has also been further defined so that it now clearly recites that it is brought into contact with a swelling portion occurring on a surface of an envelope curved by the curved sheet transport path portion.

Applicant respectfully submit that the applied art fails to teach or suggest the invention as recited in each of the independent claims in the above application.

Ando et al. is directed to a fixing apparatus capable of changing pressure contact force. Ando et al. discloses the reduction of the abutment pressure between a heating roller and a pressure other of a fixing device for avoiding the wrinkling of an envelope. However, Ando et al. does not disclose or suggest pressing a swelling portion of the envelope. When the envelope passes the fixing device, the envelope is heated and shrunk so as to cause a deflection due to a difference between a shrinking direction in the front side paper and a shrinking direction in a back side paper of the envelope. Ando et al., thus reduces the abutment pressure between the rollers to avoid that wrinkle. See, for example, col. 1, lines 42-53.

Applicants respectfully submit that the invention is clearly distinguished from Ando et al. More specifically, as now presented, the claims clearly provide for the feature of the regulation member being disposed downstream of a curved sheet transport path portion and positioned apart from the sheet by a predetermined distance so that the regulation member presses a swelling portion occurring on a surface of the envelope curved by the curved sheet transport path. Such feature is neither taught nor suggested by the applied reference.

Rutishauser was applied against independent claim 7. This reference is directed to an apparatus for separating and feeding envelopes through an office machine and was cited for its disclosure of a regulation member 16 provided in the transport path at a predetermined distance from an envelope to be transported. In this case, the regulation member is said to be a rib. However, Rutishauser does not meet any of the above discussed shortcomings of Ando et al. More specifically, there is no teaching or suggestion of the regulation member

provided on a downstream side of the curved sheet transport path portion so that the regulation member presses a swelling portion occurring on the surface of the envelope curved by the curved sheet transport path portion. Accordingly, even in combination with Ando et al. Rutishauser fails to teach or suggest the invention as now recited in each of independent claim in the above application.

Remaining claims in this application are dependent claims which depend either directly or indirectly from the one of the above discussed independent claims and are therefore patentable over the art of record for reasons set forth above with respect to those independent claims. In addition, each recite features of the invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

Applicants submit that all outstanding matters in the above application have been addressed and that this application is in condition for allowance. Favorable reconsideration and early passage to issue in the above application are respectfully sought.

Applicant'(s) undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Lawrence A. Stahl
Attorney for Applicant(s)
Registration No. 30,110

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

DC_MAIN 245800v1